



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 6922**  
Tatsuo SUZUKI et al. : Attorney Docket No. 2003\_1580A  
Serial No. 10/695,766 : Group Art Unit 1654  
Filed October 30, 2003 : Examiner Patricia Leith  
INFECTION PREVENTIVE OR : **Mail Stop: Amendment**  
THERAPEUTIC AGENT AND FOOD

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**DECLARATION OF BIOLOGICAL DEPOSIT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Undersigned, attorney of record for the subject application, hereby declares:

That *Ticholoma matsutake* strain was deposited on September 14, 2000, at Independent Administrative Institution, National Institute of Advanced Industrial Science and Technology (former National Institute of Bioscience and Human-Technology, Agency of Industrial Science and Technology, Japan) at 1-3, Higashi 1-chome, Tsukuba-shi, Ibaraki-ken 305, Japan under the Budapest Treaty, and given accession no. FERM BP-7304;

That the depository affords permanence of the deposit and ready accessibility thereto by the public if a patent is granted;

That access to the deposit during the pendency of the above-identified application will be afforded to one determined by the Commissioner to be entitled thereto under;

That all restrictions on the availability of the deposit to the public imposed by the depositor will be irrevocably removed upon the granting of the U.S. Patent on the above-identified application;

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

That each deposit shall be stored by the depository, with all the care necessary to keep it viable and uncontaminated, for a period of at least five years after the most recent request for the furnishing of a sample of the deposit was received by the depository, or for a period of at least 30 years after the date of the deposit, or for the effective life of the U.S. Patent, whichever is longest;


That the Assignee acknowledges its duty to replace any such deposit should the depository be unable to furnish a sample when requested due to the condition of the deposit;

That the undersigned is authorized to execute this agreement on behalf of the Assignee; and

Undersigned further declares that all statements made herein of his own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Tatsuo SUZUKI et al.

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December 8, 2005

特許手続上の微生物の寄託の国際的承認  
に関するブダペスト条約

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF  
MICROORGANISMS FOR THE PURPOSES OF  
PATENT PROCEDURE

RECEIPT IN THE CASE OF AN ORIGINAL  
DEPOSIT

下記国際寄託当局によって規則 7. 1 に従い  
発行される。

issued pursuant to Rule 7. 1 by the  
INTERNATIONAL DEPOSITARY AUTHORITY  
identified at the bottom of this  
page.

原寄託についての受託証

氏名 (名称) 吳羽化学工業株式会社  
代表取締役 天野 宏 殿  
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1. 微生物の表示

(寄託者が付した識別のための表示)

Tricholoma matsutake (S. Ito & Imai) Sing.  
CM6271

(受託番号)

FERM BP- 7304

2. 科学的性質及び分類学上の位置

1 欄の微生物には、次の事項を記載した文書が添付されていた。

- 科学的性質
- 分類学上の位置

3. 受領及び受託

本国際寄託当局は、平成 12 年 9 月 14 日 (原寄託日) に受領した 1 欄の微生物を受託する。

4. 移管請求の受領

本国際寄託当局は、年 月 日 (原寄託日) に 1 欄の微生物を受領した。  
そして、年 月 日に原寄託よりブダペスト条約に基づく寄託への移管請求を受領した。

5. 国際寄託当局

通商産業省工業技術院生命工学工業技術研究所

名称: National Institute of Bioscience and Human-Technology  
Agency for Industrial Science and Technology

所長 大箸 信

Dr. Shinobu Oshikiri Director-General

あて名: 日本国茨城県つくば市東 1 丁目 1 番 3 号 (郵便番号 305-8566)  
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平成 12 年 (2000) 9 月 14 日